

REMARKS/ARGUMENTS

Further consideration of this application is requested. This Amendment accompanies a Request for Continued Examination and addresses issues presented in the Final Rejection of July 15, 2008 and expands upon comments and observations contained in the response of October 2, 2008, which response was considered and entered as indicated in item 11 of the Advisory Action of October 20, 2008.

Claim 1 has been amended and recast as new claim 18 in order to more particularly point out and distinctly claim that which applicants regard as their invention and to include subject matter that is contained in the description of the invention and appears throughout the specification and in particular in the paragraph on page 6, lines 5-15. New claim 18 is cast in Jepson format to emphasize the technical features of step (a) -- base addition -- and step (b) -- acid addition. In step (a), adding a base to the dispersion of step (1) transforms the triterpenoid into its salt which has surface activity; note page 6, lines 7-8. Then, in step (b), when the acid is added to decrease the pH in a range of 5-8 -- this transforms the triterpenoid back to its original form which causes its surface activity to disappear resulting in changing the mixed micelle system to submicron-sized liposomes; *see* in particular page 6, lines 11-14.

Concerning the amendments made to step (a), in the prior art, surfactants have been used in order to mix triterpenoid and lipid molecules. According to the present invention, however, without the use of surfactants the triterpenoid can be provided with surface activity simply by regulating its pH.

As the use of a surfactant is not required according to the present invention, there is no need for additional processing facilities or process time to eliminate surfactant that was previously used in the prior art prior to collecting the product.

Thus, only by using both a base and an acid to regulate pH, liposomes containing triterpenoid at a high concentration can be made and this all without the use of surfactants.

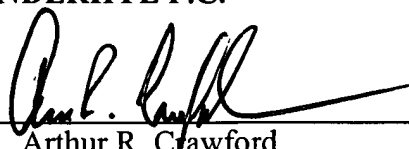
Reconsideration and favorable action are solicited.

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